IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JODHPUR

O R D E R

Smt. Leelawati Bhatt Vs. Union of India & Ors.

S.B.CIVIL WRIT PETITION NO.5571/2003

DATE OF ORDER :: January 03, 2006

PRESENT

HON'BLE MR.JUSTICE H.R.PANWAR

Mr.Mahipal Rajpurohit, for the petitioner.

Mr.R.K.Singhal, for the respondents.

BY THE COURT:

By the instant writ petition under Article 226 of the Constitution of India, the petitioner seeks direction to the respondents to bring and submit the whole service record including relevant documents before this Court in respect of her deceased husband Durga Shanker Bhatt also a direction to pay compensation to the petitioner for undue/unnecessary mental harassment and economic loss due to malafide action and intentionally delay of the pension matter of her husband.

I have heard learned counsel for the parties.

A reply to the writ petition has been filed by the contesting respondent. In para 3 of the reply, it has specifically been averred that no departmental inquiry against deceased Durga Shanker Bhatt was held by the respondents.

It is contended by the learned counsel for the petitioner that certain deductions of the increments have been made from the salary of her deceased husband. Learned counsel appearing for the respondents submits that no such deduction has been made as there was no inquiry against the deceased husband of the petitioner. So far as seeking direction to summon the whole service record of the deceased husband of the petitioner is concerned, no foundation is made as to why such record is necessary. In the reply, it has been stated that certain payments, for which the petitioner was entitled on the death of her husband while in service, has been made including the payment of salary, PF. Etc.

From the pleadings made by the petitioner, no ground is made out for causing any undue harassment or delay in making the payment. So far as the information regarding the police investigation is concerned, the respondents stated that as the

husband of the petitioner met with unnatural death, the matter is being investigated by the police. In the circumstances, therefore, the petitioner is not entitled for any relief as prayed in the writ petition.

The writ petition is, therefore, dismissed.

[H.R.PANWAR],J.

m.asif/-